

8.01 GRIEVANCE PROCESS

A. Purpose

The Board recognizes that from time to time employees will have questions and the occasional grievance stemming from their employment. When questions or grievances arise, employees should first attempt to resolve the matter through informal discussion with their immediate supervisor. The following process has been established to be used by non-bargaining employees. Bargaining unit employees should consult their respective bargaining unit agreements for negotiated processes.

B. Employee Representation

A grievant may have an employee representative of his or her choosing present at any step of the procedure. The employee and his/her employee representative shall not lose pay or benefits for time spent in any meetings, interviews, hearings, etc. convened by management.

When a group of employees desire to file a grievance involving a situation affecting each employee in the same or substantially similar manner, only one person selected by such group may file the grievance.

C. Process for Filing Grievance

1. Step One (1)

If an employee and his/her immediate supervisor cannot resolve a matter informally, the employee may file his/her grievance in writing with the employee's supervisor or other representative designated by management. In order for a grievance to be recognized, it must be filed within five (5) consecutive regularly scheduled workdays after the date of the alleged incident giving rise to the grievance.

2. Step Two (2)

If within five (5) consecutive regularly scheduled workdays after submitting the grievance to his/her supervisor or other representative the matter is not resolved to the employee's satisfaction, the employee may submit the written grievance (along with any written response received from management) to the appropriate department head or his/her designee.

3. Step Three (3)

If within ten (10) consecutive regularly scheduled workdays after submitting the grievance to his/her department head, the matter is not resolved to the employee's satisfaction, the employee may submit the written grievance (along with any written response(s) received from management) to the Board of Commissioners or its designee.

4. Step Four (4)

Within twenty (20) consecutive regularly scheduled working days after submitting the grievance to the Board of Commissioners or its designee, the Board will cause relevant inquiries to be made and issue a written decision to the employee which shall be final and binding on the parties.

In each step of the process, the employee's written grievance should clearly state which step in the process their formal complaint is in.



D. Extension of Deadlines

In order to ensure the prompt resolution of employee grievances, the prescribed time limits for each step of the grievance procedure should be followed as closely as possible. However, in the event of extenuating circumstances, the established time limit for a given step of the grievance procedure may be extended by mutual agreement of the parties.

E. Failure to Proceed or Respond

Grievances not processed to the next step of the procedure within the specified time limits, or any agreed upon extension thereof, shall be considered resolved on the basis of the decision at the previous step. Grievances not answered by management within the prescribed time limits shall be considered to have been answered in the negative and may be advanced to the next step in this procedure.

F. Non-Grievable Items

1. Issues that are pending or that have been concluded;
2. Relocation or transfer of an employee within the department that results in no change of pay, benefits, and/or classification;
3. Temporary work assignments;
4. Budget and organization structure, including the number of assigned employees within any organizational unit;
5. The manner and method of performing work assignments, including performance evaluations, unless in the case of discrimination; and
6. Benefits.

G. State Personnel Board of Review

Where the alleged complaint is of a nature that qualifies for appeal under the rules of the [State Personnel Board of Review](#) for non-bargaining unit employees, the complainant must appeal through the State Personnel Board of Review in accordance with the rules of that body and may not avail himself/herself of the complaint procedure set forth herein. Employees who are members of a certified bargaining unit and subject to the terms and conditions of a bargaining agreement that includes a dispute resolution mechanism may not avail themselves of the complaint procedure set forth herein.

